

Office of the Secretary of State

2002 Executive Request Legislation

PROPOSALS RESPONDING TO THE 2000 PRESIDENTIAL ELECTION

Bill Title: **Directing a Statewide Voter Registration Database**

House Bill Number: 2332

Sponsors: *Representatives Romero, McDermott, D. Schimdt, Woods, Ruderman, Miloscia, Esser and Kagi*

Senate Bill Number: 6324

Sponsors: *Senators Gardner, Horn, T. Sheldon, Roach, McCaslin, Winsley, and Hale*

Summary and Effect of Legislation:

The Secretary of State's Office would work with the County Auditors and voter registration experts on the design of a coordinated, statewide voter registration database. The Secretary of State would report its findings to the Washington State Legislature no later than February 1, 2003.

This coordinated, statewide database must meet minimum standards for the identification of duplicate voter registrations, voters suspected of voting more than once in the same election, and suspected felons; provide up-to-date information for initiative signature checking and change-of-address data; provide online access for County Auditors for the purposes of duplicate checking; and provide for the cancellation of voter registration for those who have moved out of Washington and surrendered their drivers' licenses.

Reasons For Legislation:

All of the national task forces studying election reform in the wake of the 2000 Presidential election have stressed having a statewide voter registration system as paramount to the integrity of elections. Consequently, every version of election reform proposed at the federal level has given this issue a high degree of importance. In most cases, proposed federal legislation requires states to have a statewide database in place or to have taken steps toward implementation of such a system as a minimum condition for qualifying for any available federal funds.

While federal election reform is still pending in Congress, it is anticipated that some form of reform will pass and be implemented early this year. This bill would increase the accuracy and efficiency of Washington's voter registration system and increase the likelihood of the state qualifying for federal funding likely to be available when federal election reform is passed and implemented.

Currently, 35 states either have or are in the process of implementing coordinated, statewide voter registration systems. Passage of this proposal and implementation of a

statewide system would bring us in line with the national trend. Failure to do so will leave us behind and put our ability to leverage federal funding in jeopardy.

Fiscal Impact: *None*

Status: *House State and Local Government hearing on 2/25/02*

LEGISLATION TO ADVANCE TECHNOLOGY AND IMPROVE CUSTOMER SERVICE

Bill Title: **Electronic Filing and Registration for Charities and Corporations**

House Bill Number: 2313

Sponsors: Representative Lantz, Anderson, Rockefeller, Kenney, Ogden, Upthegrove, Kagi, Dunn, and Esser

Summary and Effect of Legislation:

Authorizes the Secretary of State to adopt rules for electronic filing of documents required for profit and non-profit corporations, limited liability companies and registered charities and fundraisers. The changes to these chapters include modification of the signature or notary requirement, as appropriate, and deletion of the requirement for duplicate originals. The bill allows rule adoption to establish format and signature requirements for electronic filing. Other conforming changes are of a ministerial or housekeeping nature.

This bill also authorizes the Secretary of State to assess fines for violation of the state Charitable Solicitations statute.

Reasons For Legislation:

Allowing online filing will increase convenience and efficiency in the office of the Secretary of State and offer enhanced service to the business community. Electronic filings will allow the Office of the Secretary of State to reduce turn around time on filings for businesses and registered charities, and reduce paper requirements that add to the expense of business and charity filings.

Fiscal Impact: *None*

Status: *Senate Labor/Comm/Fin. Inst. Committee*

Bill Title: **Allowing Candidates to File Electronically**

Senate Bill Number: 6321

Sponsors: *Senators Gardner, McCaslin, Roach, T. Sheldon, Keiser, McAuliffe, Hale and Oke*

Summary and Effect of Legislation:

Allows the Secretary of State to accept candidate filings for state offices, including legislative and judicial positions on-line through the agency's website. The proposal also authorizes the agency to accept credit card, debit card, and other forms of electronic payment for required candidate filing fees.

Reasons For Legislation:

Increased efficiency and convenience. Allowing online filings and payments will make for more efficient filings of candidate declarations, processing of filing fees, and easier distribution of accurate filing information to County Auditors and the public. It also will give candidates required to file with the Secretary of State the option of filing from the convenience of their homes, instead of traveling to the Capitol.

Fiscal Impact: None

Status: House State and Local Government committee hearing on 2/25/02

WORKING UNDER THE STATE'S BUDGET CONSTRAINTS

Bill Title: Donations for the Washington State Archives and Oral History Programs

Substitute House Bill Number: 2366

Sponsors: Representatives Ogden, Woods, Romero, Skinner, and Chase

Summary and Effect of Legislation:

Allows for the Secretary of State to solicit and accept donations for its archives and oral history programs. Donations may be accepted for activities such as the acquisition, accession, interpretation and display of archival materials; conducting interviews; and preparing and publishing transcripts, photos, displays and programs.

Donations would be placed in the Secretary of State's revolving fund, and expenditures of these specific funds would not require legislative appropriation. Donations for these purposes would also be exempt from the P.D.C.'s laws governing the prohibition of fundraising before, during and after the legislative session. Further, accepting such donations and making such expenditures would not be considered an ethical violation and would be exempt for the laws of RCW 42.52 (Ethics In Public Service).

Reasons For Legislation:

The Washington State Archives and Oral History Program both play key roles in preserving the legal and historical heritage of our state, but are funded at levels that allow only basic operations. Donations have been offered to the Oral History Program, but the Secretary of State currently has no authority to accept them. In addition, the State Archives has no budget to acquire collections and very limited funds to interpret and

display the collections it does have. Many important documents which should be represented in the archive's holdings are owned privately. The ability to solicit and accept donations will allow us to more fully meet our mission of preserving, interpreting and making accessible the legal and historical records which document the history of our state. This innovation would enhance the preservation of our state's heritage at no additional cost to the state.

Fiscal Impact: *None*

Status: *Referred to Senate State and Local Government Committee*

GOOD GOVERNMENT LEGISLATION

Bill Title: **Modifying the Administration of Elections**

House Bill Number: 2336

Sponsors: *Representatives McMorris, Rockefeller, Romero, and Schimdt*

Senate Bill Number: 6325

Sponsors: *Senators Gardner, Horn, T. Sheldon, Roach, McCaslin, Winsley, and Oke*

Summary and Effect of Legislation:

The Secretary of State's Office would conduct reviews of county election procedures and administration in conjunction with a primary, special or general election, on a five-year cycle. Currently, reviews are only conducted at the request of a County Auditor or at the discretion of the Secretary of State.

The role of the Certification and Training Program, in regard to training of county party observers and county canvassing boards, would change from direct training to the preparation of curriculum and training materials that would be administered at the local level by County Auditors and elections personnel. In addition, the responsibility of reimbursing travel costs for election observers to attend Secretary of State training programs is removed.

Two additional members would be added to the Election Administration and Certification Board – one each representing the Secretary of State and the State Elections Director. This provision will help ensure a quorum for Board meetings and ensure equal distribution of membership between local and state government, the legislative caucuses, and the political party organizations.

Reasons For Legislation:

By implementing a five-year review cycle of county election administration, the Secretary of State's office will be able to review both odd and even year elections in all counties in the state, thus guaranteeing a more comprehensive outlook for each county.

In actuality, political party observers and county canvassing boards do not attend “state” training programs; they are administered locally. Providing curriculum would meet the standard for uniformity while recognizing the importance of local nuances and increasing the likelihood of attendance.

The Election Administration and Certification Board is responsible for helping to set the standards for the training for election officials and the reviewing of election policies and procedures. Florida has demonstrated the necessity of a strong and effective partnership between state and local election officials. Adding two additional members of the Secretary of State’s Office creates a balanced membership between these two forms of government to enhance the already strong partnership we enjoy.

Fiscal Impact: *None*

Status: *House State and Local Government hearing on 2/25/02*

Bill Title: **Revising Initiative Filing Fee Procedures**

Senate Bill Number: 6323

Sponsors: *Senators Gardner, McCaslin, Fairley, and Winsley*

Summary and Effect of Legislation:

The filing fee for an initiative would be increased from \$5 to \$100. This \$100 fee would be fully refundable upon the petitioners filing with the Secretary of State’s Office the adequate number of signatures required by Article II, section 1 of the State Constitution. In lieu of a \$100 filing fee, a petitioner may submit the signatures of 100 registered voters.

Reasons For Legislation:

The number of initiatives filed with the Secretary of State’s Office has increased dramatically in the last five years. In the past two years alone, 66 initiatives were filed necessitating hundreds of hours of work at the Code Reviser’s office and Office of the Attorney General. In addition, only nine of those initiatives filed in that timeframe - or approximately 14% - were successful in acquiring enough signatures to appear on the ballot.

By increasing the filing fee, the volume of initiatives where the filer likely does not intend to solicit signatures that are filed would be significantly reduced, thus saving taxpayer dollars by reducing the workload of the Code Reviser and Attorney General. An alternative benefit would be to those running serious initiative campaigns in the form of a full refund or a waiver of the fee altogether upon the submission of the requisite number of signatures.

Fiscal Impact: *None*

Status: *House State and Local Government hearing on 2/25/02*